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8 Attorneys for Defendant

9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **FRESNO DIVISION**

| | | | |
|----|---|---|---------------------------------|
| 12 | |) | Case No.: 1:21-CV-00017-AWI-HBK |
| 13 | RODNEY LEN FLOOD, |) | |
| 14 | Plaintiff, |) | STIPULATED MOTION TO REMAND |
| 15 | vs. |) | |
| 16 | KILOLO KIJAKAZI, |) | |
| 17 | Acting Commissioner of Social Security, |) | |
| 18 | Defendant. |) | |

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20 IT IS STIPULATED by and between Rodney Len Flood (Plaintiff) and Kilolo Kijakazi,
21 Acting Commissioner of Social Security (“Defendant”), through their undersigned counsel of
22 record, that the above-entitled action shall be remanded to the Commissioner of Social Security
23 for further administrative proceedings.

24 Upon remand, the Office of Hearing Operations will remand the case to an
25 Administrative Law Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the
26 subjective complaints. The parties further request that the Court direct the Clerk of the Court to
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1 enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision
2 of the Commissioner.

3 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
4 Social Security Act, 42 U.S.C. 405(g).

5 Respectfully submitted this 25th day of April 2022.

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7 Dated: April 25, 2022

/s/ Jonathan O. Pena*

JONATHAN O. PENA

Attorney for Plaintiff

*Authorized via e-mail on Apr. 22, 2022

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9
10 Dated: April 25, 2022

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14 By: /s/ SARAH E. PRESTON

SARAH E. PRESTON

Special Assistant United States Attorney

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16 Attorneys for Defendant

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18 **ORDER**

19 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
20 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,
21 **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
22 Security for further proceedings consistent with the terms of the Stipulation to Remand.

23 IT IS SO ORDERED.

24 Dated: April 25, 2022

25 
26 SENIOR DISTRICT JUDGE